

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of Texas

(State)

Case number (if known): Chapter 11

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

Texas Pellets, Inc.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN)

90 - 0783478

4. Debtor's address

Principal place of business

164 County Rd 1040

Number Street

Woodville, TX 75979

City State ZIP Code

Tyler

County

Mailing address, if different from principal place of business

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: _____

Debtor **Texas Pellets, Inc.**
Name _____

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

3 2 1 2

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No

☒ Yes. Debtor See attached list Relationship _____
District _____ When _____
Case number, if known _____
MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor Texas Pellets, Inc.
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property?

Number _____ Street _____

City _____ State _____ ZIP Code _____

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5,001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated assets

☐ \$0-\$50,000

☐ \$50,001-\$100,000

☐ \$100,001-\$500,000

☐ \$500,001-\$1 million

☐ \$1,000,001-\$10 million

☐ \$10,000,001-\$50 million

☐ \$50,000,001-\$100 million

☒ \$100,000,001-\$500 million

☐ \$500,000,001-\$1 billion

☐ \$1,000,000,001-\$10 billion

☐ \$10,000,000,001-\$50 billion

☐ More than \$50 billion

Debtor Texas Pellets, Inc. Case number (if known) _____
 Name

16. Estimated liabilities

- ☐ \$0-\$50,000 ☐ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
☐ \$500,001-\$1 million ☒ \$100,000,001-\$500 million ☐ More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
☒ I have been authorized to file this petition on behalf of the debtor.
☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4 / 28 / 2016
 MM / DD / YYYY

☒

Signature of authorized representative of debtor

Anna Katharin Leibold

Printed name

Title President and Chief Executive Officer

18. Signature of attorney

☒

/s/ W. Steven Bryant

Signature of attorney for debtor

Date 4 / 28 / 2016

MM / DD / YYYY

W. Steven Bryant

Printed name

Locke Lord LLP

Firm name

600 Travis Street, Ste. 2800

Number Street

Houston

City

TX 77002

State ZIP Code

713-226-1489

Contact phone

sbryant@lockelord.com

Email address

24027413

Bar number

TX

State

TEXAS PELLETS, INC.

April 25, 2016

I, Michael Leibold, Secretary of Texas Pellets, Inc., a Delaware corporation ("TPI"), do hereby certify the following:

1. I am the duly appointed Secretary of TPI.
2. Attached hereto as Exhibit A is a true, correct, and complete copy of resolutions duly adopted by TPI's board of directors acting pursuant to TPI's bylaws.
3. The resolutions attached as Exhibit A are not inconsistent with TPI's bylaws.
4. The resolutions attached as Exhibit A have not been amended, modified, repealed, or rescinded since they were adopted, and they remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this certificate as of April __, 2016:



Name: Michael Leibold
Title: Secretary

EXHIBIT A

RESOLUTION OF BOARD OF DIRECTORS OF TEXAS PELLETS, INC.

April 29, 2016

WHEREAS, Texas Pellets, Inc., a Delaware corporation (the "Company") has evaluated the Company's assets, liabilities and operating performance, and commenced negotiations with the Company's secured lenders ("Lenders") concerning the Company's balance sheet and obligations;

WHEREAS, various of the Company's creditors have asserted claims against the Company including without limitation by filing liens on or against the Company's assets;

WHEREAS, if the Company's creditors continue to further exercise their rights and remedies, the Company's ability to continue operating could be compromised, with a risk of substantial loss of value for the Company and all of its stakeholders;

WHEREAS, the Company has identified potential financial and strategic partners ("Potential Partners") that have expressed interest in entering into arrangements with the Company that would potentially serve as the basis for restructuring;

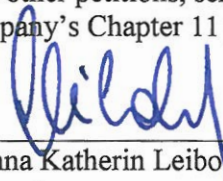
WHEREAS, the Company has determined that the potential for adverse actions by the Lenders and the Company's creditors relative to the Company's assets is an obstruction to finalizing any arrangements with Potential Partners;

WHEREAS, the Board of Directors has decided it is in the best interest of the Company to file for Chapter 11 bankruptcy protection in order to preserve its assets and value to permit the Company to continue negotiations with the Lenders and Potential Partners;

NOW, THEREFORE, BE IT

RESOLVED, that in the judgment of the Board and in order to preserve the going concern value of the Company, it is in the best interests of the Company to file a voluntary petition for relief pursuant to Chapter 11 of the Title 11 of the United States Code (a "Bankruptcy Petition") in the United States Bankruptcy Court for the Western District of Louisiana or such other judicial district of the United States as counsel may recommend (the "Bankruptcy Court"); and,

RESOLVED that Anna Katherin Leibold is authorized to file a Bankruptcy Petition on behalf of the Company in the Bankruptcy Court, to retain counsel in Louisiana or in such other jurisdiction as may be necessary to effectuate the bankruptcy filing, to retain other professionals on behalf of the Company, and to prepare and file such other petitions, schedules, motions, plans and other documents as are necessary to bring the Company's Chapter 11 proceeding to a conclusion.



Anna Katherin Leibold
Director



Michael Leibold
Director

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE:	§	
	§	
TEXAS PELLETS, INC.,	§	Case No. 16-_____
	§	
Debtor	§	Chapter 11
_____	§	

LISTING OF AFFILIATE ENTITIES FILING CHAPTER 11

- 1) Woodville Lumber, Inc., Case No. 16-90088, in the United States Bankruptcy Court for the Eastern District of Texas, filed April 4, 2016. Entity is affiliate of Debtor.

- 2) Woodville Lumber II, LLC, Case No. 16-90089, in the United States Bankruptcy Court for the Eastern District of Texas, filed April 4, 2016. Entity is affiliate of Debtor.

- 3) GP Lumber, LLC, Case No. 16-90090, in the United States Bankruptcy Court for the Eastern District of Texas, filed April 4, 2016. Entity is affiliate of Debtor.

- 4) Louisiana Pellets, Inc., Case No. 16-80162, in the United States Bankruptcy Court for the Western District of Louisiana, filed February 18, 2016. Entity is affiliate of Debtor.

- 5) German Pellets Louisiana, LLC, Case No. 16-80163, in the United States Bankruptcy Court for the Western District of Louisiana, filed February 18, 2016. Entity is affiliate of Debtor.